

247 CMR 3.00: LICENSURE AND CONTINUING EDUCATION REQUIREMENTS FOR INDIVIDUAL PHARMACY PROFESSIONALS

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3.01: Authority and Purpose

Board regulations at 247 CMR 3.00 are promulgated under the authority of M.G.L. c. 94C, § 6 and c. 112, §§ 1B, 24, 24A, 30, and 42A and are designed to describe the licensure process for Pharmacy Technician Trainees, Pharmacy Technicians, Pharmacy Interns, and Pharmacists as well as provide the continuing education requirements for licensed pharmacists.

3.02: Pharmacy Technician Trainee Licensure

- (1) No individual may serve as a Pharmacy Technician Trainee (PTT) without holding a valid Pharmacy Technician Trainee license from the Board.
- (2) An applicant for licensure as a PTT shall be:
 - (a) at least 16 years of age;
 - (b) a high school graduate or the equivalent, or currently enrolled in a program which awards such degree or certificate; and
 - (c) of good moral character.
- (3) An application shall be made on forms prescribed by, and available from the Board or its authorized agent and shall include:
 - (a) a completed application form;
 - (b) payment of a non-refundable licensing fee; and
 - (c) any additional information, as required by the Board.
- (4) An individual may not work as a PTT for more than 1500 hours or for more than one-year, whichever period is shorter unless the Board grants an extension. Extensions may be granted if:
 - (a) the individual has not yet reached 18 years of age;

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- (b) the individual has not yet obtained at least 500 hours of employment as a PTT;
or
 - (c) for any other reason as determined by the Board.
- (5) An individual who has worked as a PTT for more than 1500 hours prior to their 18th birthday under an extension granted by the Board shall apply for a pharmacy technician license within 30 days after their 18th birthday.
- (6) A PTT may perform duties as authorized by, and under the direct supervision of a licensed pharmacist in accordance with Board policy.
- (7) A PTT shall wear a name tag with at least the individual's first name and the title "Pharmacy Technician Trainee."

3.03: Pharmacy Technician Licensure

- (1) No individual may serve as a Pharmacy Technician (PT) without holding a valid Pharmacy Technician license from the Board.
- (2) An applicant for licensure as a PT shall:
- (a) be at least 18 years of age;
 - (b) be a high school graduate or the equivalent, or currently enrolled in a program which awards such degree or certificate;
 - (c) be of good moral character;
 - (d) have successfully completed one of the following:
 - i. obtained national certification by passing an examination as outlined in 247 CMR 3.03(5)(a) and (b);
 - ii. completed a Board-approved pharmacy technician training program as defined in 247 CMR 3.03(4);
 - iii. completed a minimum of 500 hours of on-the-job pharmacy technician training in a pharmacy; or
 - iv. licensure/registration as a pharmacy technician in any United States jurisdiction; and
 - (e) unless nationally certified, achieve a passing score on a Board-approved pharmacy technician licensing examination as defined in 247 CMR 3.03(5)(c).
- (3) An application shall be made on forms prescribed by, and available from the Board or its authorized agent and shall include:
- (a) a completed application form;
 - (b) payment of a non-refundable licensing fee, unless:
 - i. it has been waived in accordance with M.G.L. c. 112 § 1B; or
 - ii. it has previously been paid for a PTT license; and
 - (c) any additional information, as required by the Board.
- (4) Board-approved pharmacy technician training programs include:

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- (a) pharmacy technician training programs accredited by the American Society of Health System Pharmacists (ASHP);
 - (b) pharmacy technician training programs recognized by the Pharmacy Technician Certification Board (PTCB);
 - (c) pharmacy technician training programs provided by a branch of the United States Armed Services or Public Health Service; and
 - (d) any other pharmacy technician training program approved by the Board in accordance with Board policy.
- (5) Board-approved pharmacy technician licensing examinations include:
- (a) pharmacy technician certification examination offered by PTCB;
 - (b) Exam for the Certification of Pharmacy Technicians (ExCPT); and
 - (c) any other pharmacy technician licensing examination approved by the Board in accordance with Board policy.
- (6) A PT may perform duties as authorized by, and under the supervision of a licensed pharmacist in accordance with Board policy.
- (7) A PT shall wear a name tag with at least the individual's first name and the title "Pharmacy Technician."

3.04: Certified Pharmacy Technician Requirements

- (1) No individual may serve as a Certified Pharmacy Technician without holding a valid PT license from the Board as outlined in 247 CMR 3.03.
- (2) Certified Pharmacy Technician (CPhT) means a licensed pharmacy technician that has obtained national certification by passing an examination as outlined in 247 CMR 3.03(5)(a) and (b).
- (3) A PT who is eligible to function as a CPhT may perform duties as authorized by, and under the supervision of a licensed pharmacist in accordance with Board policy.
- (4) A CPhT shall wear a name tag with at least the individual's first name and the title "Certified Pharmacy Technician."
- (5) If a CPhT's certification lapses but the PT license is still current, that technician shall:
 - (a) be limited to performing the duties of a pharmacy technician;
 - (b) use the title "Pharmacy Technician"; and
 - (c) be counted as a "pharmacy technician" in calculating supervisory ratios as set forth in Board regulation or policy.

3.05: Pharmacy Technician License Renewal

- (1) A PT license shall expire every two years on the birthdate of the licensee.

- (2) Pursuant to M.G.L. c. 112, § 1B, the license of a PT who is engaged in active service in the armed forces of the United States remains valid until 90 days after release from active duty.
- (3) A PT license shall be timely renewed to continue practice. Any practice as a PT after the expiration date of the license shall constitute unlicensed practice subjecting the individual to any and all penalties established for unlicensed practice.
- (4) The renewal application shall include payment of a non-refundable licensing fee, unless waived in accordance with M.G.L. c. 112 § 1B.
- (5) A PT whose license has lapsed may renew such license upon filing of a renewal application, payment of all required non-refundable fees, unless waived in accordance with M.G.L. c. 112 § 1B, and any other conditions imposed by the Board.

3.06: Pharmacy Intern Licensure

- (1) No individual may serve as a Pharmacy Intern (PI) or receive pharmacy internship credit without holding a valid Pharmacy Intern license from the Board.
- (2) An applicant for licensure as a PI shall:
 - (a) either:
 - i. have achieved standing as a student in the first professional year in an Accreditation Council for Pharmacy Education (ACPE) accredited college/school of pharmacy Doctor of Pharmacy (PharmD) program; or
 - ii. be a graduate of a non-ACPE accredited college/school of pharmacy with authorization from the National Association of Boards of Pharmacy (NABP) in accordance with 247 CMR 3.06(3)(c)(ii); and
 - (b) be of good moral character.
- (3) An application shall be made on forms prescribed by, and available from the Board or its authorized agent and shall include:
 - (a) a completed application form;
 - (b) payment of a non-refundable licensing fee, unless waived in accordance with M.G.L. c. 112 § 1B;
 - (c) one of the following:
 - i. a certified statement by the ACPE accredited college/school of pharmacy indicating that the applicant has achieved standing as a student in the first professional year of a PharmD program; or
 - ii. authorization from NABP, Foreign Pharmacy Graduate Examination Committee (FPGEC), issued within the preceding year for a graduate of a non-ACPE accredited college/school of pharmacy; and
 - (d) any additional information, as required by the Board.

- (4) Unless the Board grants an extension, a PI license shall be valid for five years.
- (5) A PI who has graduated from an ACPE accredited college/school of pharmacy may continue to act in the capacity of a PI until becoming licensed as a pharmacist or until the intern license expires, whichever comes first.
- (6) A PI may perform duties as authorized by, and under the supervision of a licensed pharmacist in accordance with Board policy.
- (7) To be eligible for a pharmacist license, a PI shall complete a pharmacy internship that includes at least 1500 hours of pharmacy internship acquired:
 - (a) through experiential pharmacy education, provided the student is a graduate of an ACPE accredited college/school of pharmacy; or
 - (b) in a pharmacy or other pharmacy-related setting, of which at least 1000 hours have been acquired in a pharmacy.
- (8) A PI may not earn more than 12 hours of pharmacy internship credit per calendar day.
- (9) Internship experience obtained in another United States jurisdiction may be accepted upon receipt of an affidavit, certificate of approval, or other official documentation issued by the United States jurisdiction where the experience was acquired.
- (10) A pharmacist licensed in another United States jurisdiction or a graduate from an ACPE accredited college/school of pharmacy who intends to relocate to Massachusetts in order to participate in a pharmacy residency program, shall apply for and obtain a PI license until such time as a Massachusetts pharmacist license has been obtained. The applicant shall provide verification of acceptance into a specific program.
- (11) A PI shall wear a name tag with at least the individual's first name and the title "Pharmacy Intern."
- (12) A PI shall provide written notification to the Board within 14 days of withdrawal from an ACPE accredited college/school of pharmacy.

3.07: Pharmacist Licensure

- (1) No individual may serve as a Pharmacist without holding a valid Pharmacist license (R.Ph.) from the Board.
- (2) An applicant for licensure as a pharmacist shall:
 - (a) be at least 18 years of age by the scheduled date of the North American Pharmacy Licensing Examination (NAPLEX) or the Multistate Pharmacy Jurisprudence Examination (MPJE);
 - (b) have received either:

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- i. a PharmD degree from an ACPE accredited college/school of pharmacy; or
 - ii. FPGEC Certification from NABP;
 - (c) have completed a pharmacy internship in accordance with 247 CMR 3.06(7); and
 - (d) be of good moral character.
- (3) An application shall be made on forms prescribed by, and available from the Board or its authorized agent and shall include:
- (a) a completed application form;
 - (b) payment of a non-refundable licensing fee, unless waived in accordance with M.G.L. c. 112 § 1B; and
 - (c) any additional information, as required by the Board.
- (4) An applicant shall pass both the NAPLEX and MPJE within a one-year period unless otherwise approved by the Board.
- (5) An applicant who fails to achieve a passing score on either or both NAPLEX and MPJE may be re-examined on either or both examinations provided that the applicant submits a request for re-examination accompanied by payment of all required non-refundable fees, unless waived in accordance with M.G.L. c. 112, § 1B.
- (6) A pharmacist shall wear a name tag with at least the individual's first name and the title "Pharmacist," "Registered Pharmacist," or "R.Ph."
- (7) A pharmacist shall maintain an NABP e-profile number.

3.08: Pharmacist Licensure Transfer

- (1) The Board may grant licensure as a pharmacist to an applicant who:
- (a) provides a completed application form;
 - (b) has applied for, and received approval for license transfer through NABP;
 - (c) has achieved a passing score on the MPJE;
 - (d) is of good moral character;
 - (e) has provided payment of a non-refundable licensing fee, unless waived in accordance with M.G.L. c. 112, § 1B; and
 - (f) provides any additional information, as required by the Board.
- (2) If an applicant has been notified by NABP that the applicant does not meet the requirements for licensure transfer, the applicant may request in writing that the Board review the basis of NABP's decision. The Board shall make the final determination of eligibility.

3.09: Pharmacist Graduates of Canadian Pharmacy Schools

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- (1) For applicants who have graduated from schools of pharmacy accredited by the Canadian Council for Accreditation of Pharmacy Programs (CCAPP) between 1993 and 2004, the following provisions shall apply in order to obtain a pharmacist license in Massachusetts:
 - (a) hold a valid license to practice as a pharmacist in a Canadian Province;
 - (b) complete a 300-hour internship in a Massachusetts pharmacy;
 - (c) achieve passing scores on both the NAPLEX and MPJE, and
 - (d) meet other terms and conditions as the Board may require.
- (2) The current foreign pharmacy graduate licensing process shall be followed for applicants who do not meet the requirements of 247 CMR 3.09(1).

3.10: Pharmacist (Including Nuclear Pharmacist) License Renewal

- (1) A pharmacist license shall expire on December 31st of each even-numbered year.
- (2) Pursuant to M.G.L. c. 112, § 1B, the license of a pharmacist who is engaged in active service in the armed forces of the United States remains valid until 90 days after release from active duty.
- (3) A pharmacist license shall be timely renewed to continue practice. Any practice as a pharmacist after the expiration date of the license shall constitute unlicensed practice subjecting the individual to any and all penalties established for unlicensed practice.
- (4) The renewal application shall include payment of a non-refundable licensing fee and a statement signed under the penalties of perjury indicating that the pharmacist is in compliance with the continuing education requirements.
- (5) A pharmacist whose license has been expired for less than two years may renew such license upon filing of a renewal application and payment of all required non-refundable fees.
- (6) In addition to the other requirements of 247 CMR 3.10, a pharmacist whose license has been expired for two years or more shall take and pass the MPJE as a prerequisite to renewal and provide any additional information as required by the Board.

3.11: Pharmacist Continuing Education

- (1) During each calendar year, a pharmacist shall complete a minimum of 20 contact hours of continuing education.
- (2) During each calendar year, the following shall be completed:
 - (a) at least five contact hours shall be acquired in a live format;
 - (b) at least two contact hours in the area of pharmacy law;
 - (c) at least one contact hour on the topic of vaccinations if the pharmacist physically vaccinates or directly supervises vaccination activities;

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- (d) contact hours for specific types of compounding must be completed by any pharmacist who oversees or is directly engaged in the practice of such compounding in accordance with M.G.L. c. 112, § 24A and Board policy; and
 - (e) contact hours for participation in a collaborative drug therapy management (CDTM) agreement in accordance with 247 CMR 16.00.
- (3) Acceptable types of continuing education credits shall be specified in Board policy.
 - (4) A pharmacist may not earn more than eight contact hours of continuing education per calendar day.
 - (5) A pharmacist is not required to complete continuing education in the calendar year in which they have graduated from an ACPE accredited college/school of pharmacy.
 - (6) A pharmacist may only receive continuing education credit once yearly for teaching a specific continuing education program.
 - (7) A pharmacist shall maintain documentation demonstrating successful completion of the required continuing education contact hours for the most recent two full calendar years and shall provide them to the Board upon request.

3.12: Pharmacist Retirement

- (1) A pharmacist may submit a petition to the Board to request their license be placed in retired status provided that:
 - (a) the license has not been surrendered, suspended, or revoked at the time of the petition; and
 - (b) the pharmacist demonstrates, to the Board's satisfaction, the intention to permanently retire from active practice in Massachusetts and all other United States jurisdictions.
- (2) A pharmacist may not practice with a license in retired status.
- (3) After a pharmacist's license has been placed in retired status, nothing in 247 CMR 3.12 shall prevent the Board from initiating, pursuing, or taking disciplinary action for violations that occurred when the license was active.

REGULATORY AUTHORITY

M.G.L. c. 94C, § 6 and c. 112, §§ 1B, 24, 24A, 30, and 42A.